

Milo Steven Marsden (4879)
Adam C. Buck (12043)
DORSEY & WHITNEY LLP
111 S MAIN ST 21ST FL
SALT LAKE CITY, UT 84111-2176
(801) 933-7360
marsden.steve@dorsey.com
buck.adam@dorsey.com

*Attorneys for Defendants National
Collegiate Student
Loan Trust 2006-3 and U.S. Bank
National Association*

Albert J. Rota (admitted *pro hac vice*)
JONES DAY
2727 North Harwood St.
Dallas, TX 75201
Telephone: 214.969.3698
ajrota@jonesday.com

*Attorney for U.S. Bank National
Association*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

JAMES T. SNARR,

Plaintiff,

vs.

**TRANSWORLD SYSTEM, INC.,
U.S. BANK, NATIONAL
COLLEGIATE STUDENT LOAN
TRUST 2006-3,**

Defendants.

**U.S. BANK NATIONAL
ASSOCIATION'S NOTICE OF
SUPPLEMENTAL AUTHORITY
CONCERNING MOTIONS TO
DISMISS**

Case No. 2:21-cv-00003

**District Judge Howard C. Nielson,
Jr.
Magistrate Judge Dustin B. Pead**

Pursuant to DUCivR 7-1(b)(4), Defendant U.S. Bank National Association (“U.S. Bank”) identifies and attaches as Exhibit A the following supplemental authority that is pertinent to U.S. Bank’s Motion to Dismiss Plaintiff’s Complaint (ECF No. 27) and the Joint Motion to Dismiss (ECF No. 26) submitted by National Collegiate Student Loan Trust 2006-3 (the “Trust”) and U.S. Bank. Specifically, the attached Report and Recommendation (“R&R”) entered in *Gosse et al. v. Transworld Systems, Inc. et al.*, No. 3:20-cv-1446 (M.D. Pa. July 13, 2021), addressed and dismissed a state-law “wrongful use of civil proceedings” claim against U.S. Bank, based on allegations concerning the filing of a state court lawsuit (Exhibit A, at 15–21). The following sections of the R&R may be relevant to the Court’s consideration of U.S. Bank’s arguments for why Plaintiff’s claims for civil conspiracy and invasion of privacy should be dismissed (*see* ECF No. 26, at 3–5, 13–19; ECF No. 27, at 3–6):

- Exhibit A at 6, which addresses the amended complaint’s reliance on allegations from other lawsuits.
- Exhibit A at 4–5, 19, which discusses how the Special Servicing Agreement “prohibited [U.S. Bank] from directly undertaking debt collection activities or supervising such debt collection activity.”
- Exhibit A at 15–20, which discusses why the amended complaint’s “general and sweeping allegations” regarding how “U.S. Bank supported a series of debt collection actions,” are “insufficient to state a claim upon which relief [may be granted].”

For the Court's convenience, the Amended Complaint at issue in the R&R is attached as Exhibit B. As required by DUCivR 7-1(b)(4), this supplemental authority is appended hereto, without argument.

Dated: July 22, 2021

DORSEY & WHITNEY LLP

/s/ Adam C. Buck

Milo Steven Marsden

Adam C. Buck

*Attorneys for Defendants National
Collegiate Student Loan Trust 2006-3
and U.S. Bank National Association*

JONES DAY

Albert J. Rota

(admitted *pro hac vice*)

*Attorney for U.S. Bank National
Association*

CERTIFICATE OF SERVICE

I hereby certify that on July 22, 2021 I filed the foregoing with the Clerk of the United States District Court using the CM/ECF system, which will send notification electronically to all counsel of record.

/s/ Adam C. Buck

Adam C. Buck

*Attorney for Defendants National
Collegiate Student Loan Trust 2006-3
and U.S. Bank National Association*